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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/062,526	02/05/2002	Pentti Henrik Parviainen	P449 0002 GNM/RAJ/bds	5236

720 7590 07/02/2003

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EXAMINER

ELKASSABGI, HEBA

ART UNIT PAPER NUMBER

2834

DATE MAILED: 07/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/062,526

Applicant(s)

PARVIAINEN, PENTTI HENRIK

Examiner

Heba Elkassabgi

Art Unit

2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3,5,7-9,11,13-15,17,19-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Hines (5376827).

Hines discloses a counter rotating turbine- generator in figs. 1-5 having a first portion (38) configured to rotate about an axis, the first rotating portion comprising a plurality of first fluid outlets (36); and, a second rotating portion (42) comprising a plurality of second fluid outlets (42) proximate to the plurality of first fluid outlets (36) on the first rotating portion (38). Wherein a fluid (pressurized fluid) is directed out the fluid outlets, the first rotating portion rotates in a first sense (R1) fig2, and the fluid is directed out the second fluid outlets, thereby causing the second rotating portion to rotate in a sense (R2) opposite to the first sense. Wherein, the second fluid outlets (42) are defined as baffles are position radially outwardly from the first fluid outlets (36). Hines also discloses a generator integrated with the turbine above wherein the generator comprises an armature (48) and a field (46). Wherein the first rotating portion (38) is connected to drive the armature (48) and the second rotating portion (42) connected to

Art Unit: 2834

drive the field so that when a high pressure fluid is directed out the first fluid outlets, the armature rotates in the first sense (R1) and the high pressure fluid is force out the second outlets (42), thereby causing the field to rotate in a sense opposite to the first sense. Hine also discloses a second generator wherein the generator comprising a armature (56) and a field (54) wherein the first rotating portion (38) is connected to the field (56) and the second rotating portion (42) is connected to drive the armature, so that when a high pressure fluid is directed out the first outlets, the field rotates in a first sense (R1) and the high pressure fluid is force out the second fluid outlets, thereby causing the armature to rotate in sense opposite (R1) to the first sense. The method of generating counter rotation is inherent based on the structural limitations of the claim.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4,6,10,12,16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hines in view of Elder (6448669).

As seen above, Hines substantially discloses the claim invention including the rotors rotating in counter- rotation to each other. Therefore, the baffles of the first

rotating portions are rotating in the opposite direction of the second rotating portion. However, Hines does not show the first and second rotating portion having curved baffles.


Elder teaches a water turbine- generator system in figs. (1a) having a turbine (8) and a rotor (4) having curved baffles for the purpose allowing air or water to collect in the curvature and cushion the force of subsequent winds. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the turbine- generator of Hines with the teaching of Elders curved baffles for the purpose of allowing wind or water current to impart it's force and be Immediately deflected.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Heba Elkassabgi whose telephone number is (703) 305-2723. The examiner can normally be reached on M-Th (6:30-3:30), and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on (703) 308-1371. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-3431 for regular communications and (703) 305-3432 for After Final communications.

Page 5

  
 J. EDGAR HOOVER  
 DIRECTOR  
 FBI  
 (1963)

HYE  
June 26, 2003